

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 11, 2006**

**DIVISION ONE**

B187951     Anthony Estrada et al.  
                 v.  
                 FedEx Ground Package Systems, Inc.

Filed order denying petition for rehearing.

**DIVISION TWO**

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,  
Deputy Clerk.

Each of the following:

B187067     People v. Polanco  
B190629     People v. Presley and Collins  
B183297     People v. Meta  
B186146     People v. Myles  
B189107     People v. McDonald  
B189250     Anne's Place, Inc. v. Guido  
B191942     People v. Mehrban

Argument waived, cause submitted.

DIVISION TWO (Continued)

B186885     Yoshinoya West, Inc.  
              v.  
              Garey/Philadelphia, LTD.

Merits:

Argued by Michael R. White for appellant. No appearance by respondent's counsel. Cause submitted.

B187197     People  
              v.  
              Trotter

Merits:

Argued by Christine C. Shaver for appellant and by David Wildman, Deputy Attorney General for respondent. Cause submitted.

B186264     People  
              v.  
              Coleman

Merits:

Argued by Ronnie Duberstein for appellant and by Michael Wise, Deputy Attorney General for respondent. Cause submitted.

B19629     People  
              v.  
              Vincent C.

Merits:

Argued by Lynette Gladd Moore for appellant and by Viet H. Nguyen, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B187649      Advisors, LLP et al.

v.

Huitt-Zollars, Inc.,

Merits:

Argued by Gretchen S. Carver for appellants and by David L. Brandon for respondent. Cause submitted.

B188504      Ken Marefat

v.

Pall Corporation, et al.

Merits:

Argued by Michael D. Margolin for appellant and by Robert S. Blumberg for respondents. Cause submitted.

B183888      Save the Altadena Trails, et al.

v.

Wayne Traylor, et al.

Merits:

Argued by Michaeline Abate Re for appellants and by Paul Raymond Ayers for respondents. Cause submitted.

B184902      Financial Pacific Ins. Co.

v.

Zenith Ins. Co.

Merits:

Argued by Glenn M. White for appellant and by Adam Salvas for respondent. Cause submitted.

Court recessed.

DIVISION TWO (Continued)

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,  
Deputy Clerk.

Each of the following:

B188112	People v. Brown
B185932	People v. Henry
B185943	People v. Christopher E.
B190578	People v. Chan
B190709	In re Jeremiah B.
B192161	In re A.D.
B194093	Gerardo A. SR. v. SCLA/DCFS
B194256	In re Janet M.

Argument waived, cause submitted.

B191685	Los Angeles County, D.C.S. v. Rickey W.
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Merits:

Argued by Linda Sue Rehm for appellant and by Judith Luby, Deputy  
County Counsel for respondent. Cause submitted.

B190443	Los Angeles County, D.C.S. v. Orlando L.
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Merits:

Argued by Richard Pfeiffer for appellant and by William Thetford, Deputy  
County Counsel for respondent. Cause submitted.

DIVISION TWO (Continued)

B181901     People  
              v.  
              Galvin

Merits:

Argued by William Bartz for appellant and by Yun K. Lee, Deputy Attorney General for respondent. Cause submitted.

B186412     Ally  
              v.  
              McCullough et al.

Merits:

Argued by Steven Bruce for appellant and by William Price for respondent. Cause submitted.

B187101     People  
              v.  
              Moran

Merits:

Argued by James Bostwick for appellant and by Sarah Farhat, Deputy Attorney General for respondent. Cause submitted.

B189810     Moore et al.  
              v.  
              Hudson Insurance Co.

Merits:

Argued by Jaymeson Pegue for appellant and by John Perlstein for appellants. Cause submitted.

DIVISION TWO (Continued)

B190814      Los Angeles County, D.C.S.

v.

Brenda G. et al.

Merits:

Argued by Olivia Raquel Ramirez for appellant and by Konrad Lee, Aida Aslanian and Judy Weissberg Ortiz for respondents. Cause submitted.

B183616      People

v.

Rasmuson

Merits:

Argued by Jean Matulis for appellant and by Beverly Falk, Deputy Attorney General for respondent. Cause submitted.

B189854      First Omnibus Company Inc.

v.

Haskim

Merits:

Argued by John Nicholson for appellant and by Marlin Branstetter for respondent. Cause submitted.

B185067      Foldvary Jr. et al.

v.

Prime Automotive Group et al.

Merits:

Argued by Daniel Johnson for appellants and by David Dorenfeld for respondent. Cause submitted.

DIVISION TWO (Continued)

B193835     Pugliese  
              v.  
              S.C.L.A.  
              Pugliese

Merits:

Argued by Cynthia de Petris for petitioner and by Ryan Lapidus for real party in interest. Cause submitted.

Court adjourned.

DIVISION FOUR

B184545     Nijjar  
              v.  
              Mittal

Filed order denying petition for rehearing.

DIVISION FIVE

B194414     In re Andrew N.,                    (Not for Publication)  
              v.  
              The People  
              Andrew N.

The judgment is affirmed.

Turner, P.J.

We concur: Mosk, J.  
                  Kriegler, J.

DIVISION FIVE (Continued)

B181476      Finis Welch                      (Not for Publication)

v.

Ocean Towers Housing

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, J.

We concur:   Turner, P.J.

                 Mosk, J.

B183585      Finis Welch                      (Not for Publication)

v.

Ocean Towers Housing Corporation

The appeal and cross-appeal are dismissed. Plaintiff to recover costs on appeals.

Armstrong, J.

We concur:   Turner, P.J.

                 Mosk, J.

B194029      People                              (Not for Publication)

v.

David Carl Raschka

The appeal is dismissed.

Turner, P.J.

We concur:   Armstrong, J.

                 Kriegler, J.



December 11, 2006 (Continued)

## DIVISION FIVE (Continued)

B191923 People (Not for Publication)

**V.**

Duane Eugene Ticey

The appeal is dismissed.

Turner, P.J.

We concur:    Armstrong, J.

Kriegler, J.

B189453 People (Not for Publication)

V.

Jose Luis Mejia

The judgment is affirmed.

Turner, P.J.

We concur:    Armstrong, J.

Kriegler, J.

## DIVISION SIX

B189974 People (Not for Publication)

V.

## Vales

The judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.

Yegan, J.

December 11, 2006 (Continued)

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Coffee, J.

[illegible]

The judgment (partition order) is affirmed. Respondent is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SEVEN

[illegible]

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

## DIVISION SEVEN (Continued)

B188478      People                                  (Not for Publication)  
v.  
Willingham

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The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

B193484      Milton A.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(DCFS, r.p.i.)

Because substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, the petition is denied on the merits.

Zelon, J.

We concur: Johnson, Acting P.J.  
Woods, J.

B181398 People (Not for Publication)  
v.  
Baca

The judgment is affirmed.

Woods, J.

I concur: Perluss, P.J.  
I concur and dissent: Zelon, J. (Opinion)

DIVISION SEVEN (Continued)

B187278      Hameetman                      (Not for Publication)

v.

California Franchise Tax Board

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur:   Johnson, Acting P.J.

                  Zelon, J.

B190207      People                                  (Not for Publication)

v.

Terry

The post-judgment order revoking probation and executing the previously suspended aggregate sentence in case number BA267332 is affirmed.

Woods, J.

We concur:   Perluss, P.J.

                  Zelon, J.

B186620      People                                  (Not for Publication)

v.

Williams

The judgment is modified to strike the \$200 parole revocation fine. As so modified, the judgment is affirmed.

Johnson, J.

We concur:   Perluss, P.J.

                  Woods, J.

DIVISION SEVEN (Continued)

B189232      Del Prado      (Not for Publication)

v.

The Orange County, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.

Woods, J.

B190161      Fan      (Not for Publication)

v.

Zhu

The judgment is affirmed. Appellant to bear her own costs on appeal.

Johnson, Acting P.J.

We concur: Woods, J.

Zelon, J.

DIVISION EIGHT

B189946      People      (Not for Publication)

v.

Mark Stanford Milo, Jr.,

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.

Flier, J.

December 11, 2006 (Continued)

## DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.

B187645 Jackson et al., (Not for Publication)  
v.  
Tyler

The appeal is dismissed. Plaintiffs shall recover costs.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.

B184926      Herzlich      (Not for Publication)  
v.  
Los Angeles County Metropolitan Transportation Authority

The judgment (order of dismissal) is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.

DIVISION EIGHT (Continued)

B183321      In re Frank James McNeely                      (Not for Publication)  
                 on  
                 Habeas Corpus

The petition for habeas corpus is granted, and petitioner's conviction in Los Angeles County Superior Court case number NA049725 is set aside. Petitioner shall be released from custody unless, within 30 days after the filing of the remittitur, the People determine to try petitioner again on count 2, and trial is set for within 60 days after that determination.

Cooper, P.J.

We concur: Rubin, J.  
                 Flier, J.

B191816      Sturgeon et al.,                      (Not for Publication)  
                 v.  
                 King et al.,

The judgment is reversed and remanded with directions: (1) to vacate the order sustaining the demurrer to the first cause of action, and to enter a new order overruling the demurrer to the first cause of action; and (2) to enter orders sustaining the demurrer to the second cause of action without leave to amend. Appellants are to recover their costs on appeal.

Flier, J.

We concur: Cooper, P.J.  
                 Boland, J.

December 11, 2006 (Continued)

## DIVISION EIGHT (Continued)

B188700      People      (Not for Publication)  
v.  
Powell

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.  
Boland, J.